



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

March 14, 2023

The Honorable Melony Griffith
Chair, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, MD 21401-1991

RE: SB 625 – Maryland Medical Assistance Program and Maryland Children's Health Program – Continuous Eligibility – Support with Amendments

Dear Chair Griffith and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of support with amendments for Senate Bill (SB 625) – Maryland Medical Assistance Program and Maryland Children's Health Program – Continuous Eligibility. SB 625 requires MDH to provide 12 months of continuous eligibility for children enrolled in the Maryland Medical Assistance Program and the Maryland Children's Health Program beginning immediately. The bill also requires MDH to apply on or before January 1, 2024 to the federal Centers for Medicare and Medicaid Services to adopt 24 months of continuous eligibility for adults and children enrolled in Maryland Medicaid or the Maryland Children's Health Program (MCHP).

Continuous eligibility, as demonstrated by the COVID-19 pandemic, is a valuable tool that can guarantee access to care at times when people most need it. However, it is also possible that continuous eligibility for all Medicaid recipients may result in increased costs to the Medicaid program to the extent that it allows individuals to stay enrolled who are no longer eligible for coverage or who have moved on to other coverage.

SB 625 will require MDH to adopt a 12-month continuous eligibility period for children enrolled in Maryland Medicaid or MCHP. MDH is quickly pursuing implementation of this type of continuous eligibility. In fact, a 12-month period of continuous eligibility for children up to age 19 is now a federal mandate required of states after the passage of the Consolidated Appropriations Act, 2023 (CAA) in December 2022. The CAA requires states to implement this provision by January 1, 2024. MDH is in the process of reviewing system requirements necessary and is working to implement continuous eligibility for children as soon as August 2023. MDH supports this provision of the bill but requests an October 1, 2023 effective date.

SB 625 further requires MDH to: (1) apply to the Centers for Medicare and Medicaid Services for authority to adopt a 24-month continuous eligibility period for both adults and children by January 1, 2024, and (2) if approved, provide 24-months of continuous eligibility to both adults and children. Continuous eligibility, as noted above, is a valuable tool and some states have

recently been approved for Section 1115 Medicaid waivers that would increase the length of continuous eligibility for certain populations. For example, Oregon has recently been approved for a waiver that would extend continuous eligibility for all children under the age of 6 until their 6th birthday and for 24 months for all Oregonians above age 6; and Massachusetts has recently been approved for a waiver that would provide continuous eligibility for 24 months for individuals with a confirmed status of chronic homelessness.

Given the recent change in Administrations and a number of priorities facing the Maryland Medical Assistance Program, as well as the need to evaluate further extensions of continuous eligibility in the context of these priorities, MDH respectfully requests the opportunity to report back to the General Assembly on or before January 1, 2024 on recommendations to further expand the use of continuous eligibility.

Suggested amendment language is on the following page.

If you need more information, please do not hesitate to contact Megan Peters, Acting Director of Governmental Affairs at megan.peters@maryland.gov or (410) 260-3190.

Sincerely,



Laura Herrera Scott, M.D., M.P.H.
Secretary

**Maryland Department of Health
Amendments to Senate Bill 625
First Reader**

AMENDMENT NO. 1

On page 1, strike beginning with the first comma in line 7 down through “circumstances;” in line 10 and substitute “to submit a report to the General Assembly on or before a certain date;”.

Rationale: Technical

AMENDMENT NO. 2

On page 2, strike beginning with “**SHALL:**” in line 4 down through “**PARAGRAPH**” in line 5; and strike beginning with the semicolon in line 7 down through “**PROGRAM**” in line 17.

On page 2, after line 17, insert:

“ SECTION 2. AND BE IT FURTHER ENACTED, That on or before January 1, 2024, the Maryland Department of Health shall submit a report to the General Assembly with recommendations on whether and to what extent to expand continuous eligibility requirements for Maryland Medical Assistance Program and Children’s Health Program recipients.”

Rationale: These amendments would keep provisions of the bill that would require implementation of continuous eligibility for 12 months for children in Maryland’s Medicaid program and Children’s Health Program. For longer periods of continuous eligibility, the changes would replace the requirements of the bill with a study due back to the General Assembly on or before January 1.

AMENDMENT NO. 3

On page 2, in line 18, strike “2” and substitute “3”; and strike beginning with “is” in line 18 down through “enacted” in line 22 and substitute “shall take effect October 1, 2023.”

Rationale: This amendment would change the effective date of the bill to October 1, 2023.